

Remarks

Allowance of the claims presented herewith is respectfully requested. Claims 1-3, 5, 6, 8-10, 12, 13, 15-17 & 20 remain pending.

By this paper, independent claims 1, 8 & 15 are amended to more clearly point out and distinctly claim certain aspects of the present invention. In particular, these claims are amended to specify that the product development effort is undertaken to produce a tangible product, and that the responses from the specific project roles identified in the question sets facilitate diagnosing the respective root cause of trouble and thus assessing of the product development effort to produce the tangible product. Different specific project roles are identified to provide responses to questions of different question sets of the multiple question sets, and each question set is a comprehensive set of questions directed to diagnosing the respective root cause of trouble. Additionally, Applicants specify in their amended independent claims that the computer implemented tool produces a numeric value which is an indication of the strength of responses for a question set as well as the impact of the respective root cause of trouble on the product development effort. The product development tool plots each root cause of trouble of the multiple possible root causes of trouble using the produced numeric values in a graph with a first axis representing strength of the respective root causes of trouble and a second axis representing impact of the respective root causes of trouble on the product development effort. Support for the amended claim language can be found throughout the application as filed. For example, reference specification paragraphs [0052]-[0055], [0069]-[0070] & [0081], as well as FIG. 2A of the application. No new matter is added to the application by any amendment presented.

In the Office Action, prior pending claims 1-3, 5-6, 8-10, 12-13, 15-17 & 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Whitacre et al. (U.S. Patent Publication No. 2004/0138944; hereinafter Whitacre), also evidenced by Whitacre et al., Provisional Application filed July 22, 2002, pages 1-76 (hereinafter Provisional) in view of Miller (U.S. Patent Publication No. 2002/0165752; hereinafter Miller). This rejection is respectfully traversed to any extent deemed applicable to the claims presented herewith, and reconsideration thereof is requested.

Independent claims 1, 8 & 15 are amended, in part, to further emphasize that Applicants' protocol for assessing a product development effort assess a product development effort undertaken to produce a tangible product. The final Office Action recognizes at page 4 that Whitacre does not teach assessing a product development effort. Applicants agree. However, the final Office Action concludes that this aspect of Applicants' invention is non-functional descriptive material that should not be given patentable weight. This conclusion is respectfully traversed.

In Applicants' invention, there are positive functional recitations that relate to Applicants' protocol for identifying multiple possible root causes of trouble for the product development effort. Specifically, Applicants specify in their independent claims *identifying specific project role(s) to provide responses to questions of the question set*. Since Applicants are troubleshooting a product development effort, it is necessary to identify the specific project roles for providing the best responses to questions of the question set. Thus, the protocol recited explicitly sets forth processing directed to Applicants' assessment of the product development effort, in order to identify root causes of trouble within such an effort. As such, Applicants respectfully submit that the particular protocol set forth is not merely labeling of data, but rather, is tied to the processing steps recited.

Additionally, as amended, Applicants specify that the responses from the specific project role(s) facilitate diagnosing the respective root cause of trouble and thus assessing of the project development effort to produce the tangible product, and further that *different specific project roles are identified to provide responses to questions of different question sets of the multiple question sets*. In accordance with Applicants' recited protocol, multiple specific project roles are identified for providing responses to different questions of different question sets of the multiple question sets identified for diagnosing the multiple possible root causes of trouble of the project development effort. These characterizations patentably distinguish Applicants' protocol over the applied and known teachings.

Again, Applicants' independent claims recite *identifying specific project role(s) to provide responses to questions of the question set*. This identifying is performed for each question set of the multiple question sets identified for diagnosing the multiple possible root

causes of trouble. Cited against this aspect of Applicants' invention are pages 67 & 68 of the Whitacre Provisional, wherein questions directed to evaluating a team member are provided. This evaluation of a team member is not believed to equate to Applicants' recited protocol of *identifying specific project role(s) to provide responses to questions of a specific question set created to diagnose a respective root cause of trouble*. This is because, in part, Applicants' recited invention is for diagnosing possible root causes of trouble of a product development effort, where Whitacre Provisional is identifying causes related to employees not performing performance goals. Because of this difference, it is respectively submitted that one of ordinary skill in the art would not have modified Whitacre to identify specific project role(s) to provide responses to questions of a question set for a particular root cause of trouble such as recited in Applicants' protocol.

In addition, as amended Applicants' independent claims recite that the computer-implemented tool produces a numeric value which is an indication of the strength of responses for the question set *and* which represents the impact of the respective root cause of trouble on the project development effort. Applicants' computer-implemented tool plots each root cause of trouble of the multiple possible root causes of trouble using the produced numeric values in a graph where the first axis represents strength of the responses for the respective root causes of trouble and the second axis represents impact of the respective root causes of trouble on the product development effort. In Applicants' recited invention, the graph facilitates assessing the product development effort by facilitating identifying a possible root cause of trouble of the multiple possible root causes of trouble with high impact on the product development effort and strong responses in support of the presence of that root cause of trouble.

The above-noted features of Applicants' invention provide numerous advantages. For example, evaluating the graph produced provides a basis for recommendations for remedy of a disclosed product development deficiency. The graph highlights problems and allows problem solvers to quickly identify root causes that have significant negative impact on the project and have strong evidence for support. The graph recited also facilitates quick elimination of issues that have little or no negative impact on the project and eliminates issues that are not supported by evidence. The above-noted aspects of Applicants' independent claims patentably distinguish Applicants' protocol over the teachings of the applied and known art. In Whitacre, a chart is

generated that compares an individual worker's performance against standard performance and his co-workers (see paragraph [0096] of Whitacre). In FIG. 4, one pie chart represents the performance of an individual worker, while the other pie chart represents the performance of the entire team. There is no teaching or suggestion that the graphs depicted in Whitacre in any way relate to how root causes of trouble impact or affect an individual's performance. Thus, the charts of Whitacre do not assist team leaders in identifying root causes that have significant impact on the individual's performance. Further, the charts do not suggest potential causes that are most likely to have the greatest impact on the individual's performance. Since the Provisional and Miller documents also do not teach the above-noted aspects of Applicants' protocol, it is respectfully submitted that the independent claims presented herewith patentably distinguish over the applied and known art.

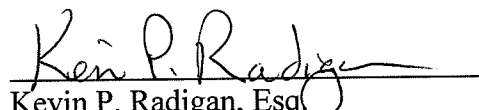
Still further, in accordance with Applicants' invention, designation of certain fields in a question set as being *required fields*, implies that other fields of the question set are of less significance. Only the number of responses in the required fields are used to produce the indication of the strength of the responses for the question set by comparing the total number of responses in such required fields against the total number of required fields in the question set. Applicants' recited automated scoring mechanism is not simply counting the number of responses to any question in the question set compared against all questions of the question set, but rather, is evaluating responses of certain types of fields designated as "required fields" in applicants' automated scoring approach. Further, in applicants' recited indication of strength of responses for the question set represents the strength of analysis of the respective root cause of trouble. The strength of analysis is derived from the automated evaluation of the number of responses in the *required fields* of the question set. A careful reading of Whitacre and Miller fails to uncover any teaching or suggestion of such an approach for indicating strength of analysis of the respective root cause of trouble. In this regard, Applicants note the discussion at page 6 of the final Office Action does not address the *required fields* aspect of Applicants' automated scoring mechanism. Further, in the Advisory Action mailed March 31, 2009, each of the questions in Miller is considered a required field of a question set. Applicants respectfully traverse this characterization of the teachings of Miller. As used in the present application, the number of responses in the *required fields* are used to produce the indication of strength of responses for the question set. Applicants' designation of certain fields in a question set is being

required fields implies that other fields of the question set are of less significance. A careful reading of Miller fails to uncover any teaching or suggestion that the questions therein are considered required fields of a question set. As such, there is no implication in Miller that other questions of the question set are of less significance. For this additional reason, Applicants respectfully submit that the claims presented herewith patentably distinguish over the applied and known art.

For at least the above-noted reasons, Applicants respectfully submit that the independent claims presented herewith are patentable. The dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations.

Should any issue remain unresolved, Applicants' undersigned representative requests a telephone interview with the Examiner to further discuss the matter in the hope of advancing prosecution of the subject application.

Respectfully submitted,


Kevin P. Radigan, Esq.
Attorney for Applicants
Registration No.: 31,789

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HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579